

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CIVIL ACTION NO. 1:19-cv-725 (WOB-MRM)

MICHAEL DUETT

PETITIONER

VS.

JUDGMENT

WARDEN, NOBLE CORRECTIONAL
INSTITUTION

RESPONDENT

This matter is before the Court on the Report and Recommendation and Supplemental Report and Recommendation of the United States Magistrate Judge (Docs. 12 and 15), and having considered *de novo* those objections (Docs. 13 and 16), and the Court being sufficiently advised,

IT IS ORDERED that the objections (Doc. 13 and 16) to the Report and Recommendation and Supplemental Report and Recommendation (Docs. 12 and 15) be, and hereby are, **overruled**. That the Report and Recommendation and Supplemental Report and Recommendation of the Magistrate Judge (Docs. 12 and 15) be, and they hereby are, **adopted** as the findings of fact and conclusions of law of this Court; that petitioner's petition for a writ of habeas corpus (Doc. 1) be, and it hereby is, **DISMISSED WITHOUT PREJUDICE**. No certificate of appealability shall issue herein. Pursuant to 28 U.S.C. § 1915(a)(3), any application by

petitioner to proceed on appeal *in forma pauperis* would not be well taken in "good faith."

This 15th day of October, 2020.



Signed By:

William O. Bertelsman *WOB*

United States District Judge